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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/113,751	07/10/1998	STEPHEN R. LAWRENCE	11379	8400

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EXAMINER

COLBERT, ELLA

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 02/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/113,751

Applicant(s)

LAWRENCE ET AL.

Examiner

Ella Colbert

Art Unit

2172

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 January 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
- NOTE: _____
3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1-79.
- Claim(s) withdrawn from consideration: _____.
8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Continuation of 5. does NOT place the application in condition for allowance or simplify matters for appeal because: Applicants' arguments and amendment to claims 1, 16, 46, and 52 filed 12/21/01, with newly added claim limitations reciting "... said responses identifying documents in response to the query, said processing including the steps of: ... identified in response to the query; ... the query terms "to form at least one context string;" and "progressively" displaying "information regarding the documents and the at least one context string" surrounding "one or more of" the query terms "for each processed document containing the query terms", amended claim 4 reciting "displaying a list of documents identified in response to the query which do not contain any of the query terms", amended claim 12 reciting "... "detecting and displaying" ... by identifying duplicate context "strings", amended claim 12 reciting displaying suggested additional query terms for expanding the query based on terms in the documents identified in response to the query", amended claim 15 reciting "after all responses have been processed," ... and re-displaying the information regarding the documents according to the ranking" have been considered and will require further search and consideration.

Applicants' proposed amendments in claims 2, 16, 46, and 52 are not limitations found in claims 2 and 79. Claim 2 recites "the step of progressively displaying the text surrounding the query terms as the documents are retrieved." Claim 79 recites "the step of processing the response from the third party search engines is performed in parallel." The Examiner does not see where these two claim limitations are incorporated into claims 16, 46, and 52. Therefore, the proposed amendments to claims 2, 16, 46, and 52 raise new issues and require further consideration.

Applicants' argue: "the remainder of the amendments are merely clarifying in nature. Similarly, the amendments to claims 4, 12, and 15 are also merely clarifying in nature and do not raise new issues."

This argument is traversed because claim 4 did not previously recite "displaying a list of documents identified in response to the query which do not contain any of the query terms", claim 12 did not previously recite "detecting and displaying ... strings", and claim 15 did not previously recite "after all responses have been processed ... , and re-displaying the information regarding the documents according to the ranking." These limitations in claims 4, 12, and 15 changes the scope of the claims.

Applicants' newly added claims 80-89 requires further consideration by the Examiner.


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